THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11521 of 2006

15.6.2006

Between:

Nimma Sudhakar Reddy, S/o.N.Malla Reddy

… Petitioners

AND

The Secretary to Government of Andhra Pradesh,

Revenue Department, Secretariat, Hyderabad

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11521 of 2006

ORDER:

The petitioner is statedly pattadar and owner of agricultural land admeasuring Acs.1.13 guntas in survey No.2 situated at Kongarakurd Village of Maheswaram Mandal in Ranga Reddy District. He also obtained pattadar passbooks. It is alleged that as he required money for his domestic necessities, he offered the land to sell and on 10.5.2006 approached the second respondent along with purchasers for registration of the sale deeds. The second respondent allegedly did not accept the sale deeds nor register them. It appears, Dargas Hazarat Syed Shah gave a complaint that the lands in Kongara Khurd village are inam lands of Darga and for that reason registration was refused. Aggrieved by the same, present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 35 and 72 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the second respondent or any other Registering Officer to accept the document presented by the petitioners and consider for registration. Be it noted, if for any reason, the document presented

is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

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(**V.V.S.RAO,J**)

June 15, 2006.

NOTE:

Issue order copy by

19.6.2006.

(By order)

YS